

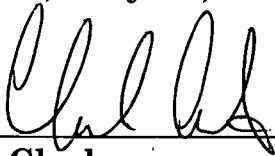
City of St. Charles, Illinois

Ordinance No.: 2019-M-24

**An Ordinance Amending Title 16 of the St.
Charles Municipal Code Entitled
“Subdivisions and Land Improvements”
(Subdivision Monumentation-City
Benchmarks)**

**Adopted by the
City Council
of the
City of St. Charles
July 15, 2019**

Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, **July 22, 2019**



City Clerk



(S E A L)

City of St. Charles, IL
Ordinance No. 2019-M-24

**An Ordinance Amending Title 16 of the St. Charles Municipal Code Entitled
“Subdivisions and Land Improvements”
(Subdivision Monumentation-City Benchmarks)**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DUPAGE COUNTIES, ILLINOIS, as follows:

1. That Chapter 16.04 entitled “Procedures”, Section 16.04.020.C.1 is hereby amended by adding the following Subsection “d”:

“d. Applications for Minor Subdivision and Final Plat of Subdivision shall include payment for installation of City benchmarks based on the size of the subdivision, as set forth in Appendix F.”

2. That Chapter 16.04 entitled “Procedures”, Section 16.04.100 is hereby deleted and replaced by the following new Section 16.04.100:

“16.04.100 – Guarantee for completion of land improvements

The Subdivider shall submit a guarantee for completion of the Land Improvements prior to approval and signature of the Final Plat of Subdivision by the Director of Community Development or designee for issuance of any required permits. As a condition of recording of a Final Plat of Subdivision, any partial guarantee for completion shall be replaced by a full guarantee.

The guarantee shall be in one of the following formats, with the form, amount and provider being subject to approval by the Development Engineering Division Manager or designee.

- A. Cash in the amount of 115% of the estimated cost of the Land Improvements remaining to be completed.
- B. A performance letter of credit, in substantially the form attached as Appendix C, in the amount of 115% of the estimated cost of the Land Improvements remaining to be completed, issued by a sound reputable banking institution authorized to do business in the state of Illinois and meeting the criteria set forth below.
- C. A surety bond in the amount of 115% of the estimated cost of the Land Improvements remaining to be completed, issued by a surety company

authorized to do business in Illinois and meeting the criteria set forth below.

The form, amount and provider of the guarantee for completion shall be subject to the approval of the Director of Community Development, Development Engineering Division Manager or their designee, and shall meet the following criteria:

- A. Banks (for letters of credit): Each letter of credit shall be drawn on an institution 1) acceptable to the Director of Finance; 2) having assets of at least \$10 million; 3) having an office in the Chicago Metropolitan Area; and 4) that is a member of the Federal Deposit Insurance Corporation; or
- B. Insurance Companies (for surety bonds): Must have an A.M. Best Company rating of Superior (A++ and A+), Excellent (A and A-) or Very Good (B++ and B+) (or equivalent).

Completed Land Improvements may be omitted from the amount of the guarantee. For purposes of this section, completed Land Improvements shall be those Land Improvements which have been previously accepted by the City Council, and, if applicable, conveyed to the City via a bill of sale substantially in the form set forth in Appendix C pursuant to the terms and conditions of the Land Improvement Agreement

The guarantee shall be accompanied by a Land Improvement Agreement in substantially the form set forth in Appendix D. The Mayor is authorized to execute a Land Improvement Agreement and authorization from the City Council is not required.”

3. That Chapter 16.04 entitled “Procedures”, Section 16.04.110.A.3 is hereby deleted and replaced by the following Subsection “3”:

“3. A Guarantee for Completion of Land Improvements has been provided and a Land Improvement Agreement has been executed per Section 16.04.100.”

4. That Chapter 16.06 entitled “Plan Submittal Requirements”, Section 16.06.040.C.5.b is hereby deleted in its entirety, and Section 16.06.040.C.5.c is renumbered as Section 16.06.040.C.5.b.

5. That Title 16 “Subdivisions and Land Improvements” is hereby amended by adding Appendix “F”, attached hereto as Exhibit “I” of this ordinance.

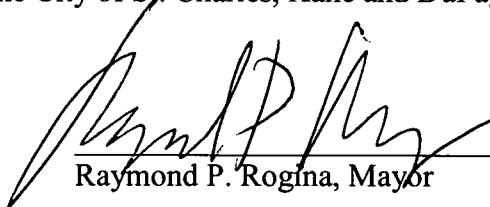
6. That after the adoption and approval hereof this Ordinance shall be (i) printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

7. This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.


PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of July 2019.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of July 2019.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 15th day of July 2019.


Raymond P. Rogina, Mayor

Attest:


Charles Amenta, City Clerk

COUNCIL VOTE:

Ayes: 7

Nays: 0

Absent: 2

Abstain:

APPROVED AS TO FORM:

City Attorney

DATE: _____

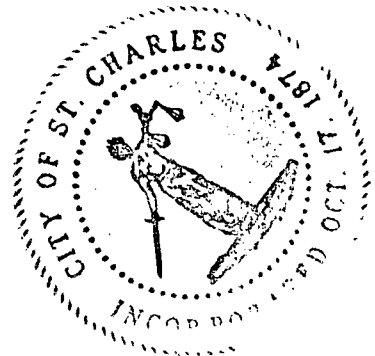


Exhibit "I"

Appendix "F" of Title 16

(Following page)

APPENDIX F

PAYMENT FOR INSTALLATION OF CITY BENCHMARKS

At the time of application for Minor Subdivision or Final Plat of Subdivision, applicants shall submit a payment for installation of City benchmarks, based on the table below:

Subdivision Acreage	Number of Benchmarks	Fee at \$2500 per Benchmark
20+	2	\$5000
10 to 20	1	\$2500
5 to 10	0.5	\$1250
1 to 5	0.25	\$625
Less than 1	0.10	\$250

The cost per benchmark is based on the estimated cost for installation of the City standard benchmark described below:

2nd order Class II, Berntsen, or equal, permanent benchmarks:

- *6 inch x 3 foot Schedule 40 PVC*
- *Access cover – screw lock*
- *¾ inch aluminum rod – driven till refusal*
- *3 foot top security sleeve*
- *Rod magnet*
- *Spiral point*
- *City of St. Charles Benchmark Cap*

The City shall collect the fees and utilize the funds solely for installation of City benchmarks. The actual location shall be determined by the City based the existing City benchmark network.

State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, CHUCK AMENTA, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

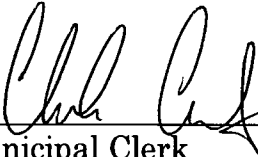
I further certify that on **July 15, 2019**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2019-M-24** entitled:

**An Ordinance Amending Title 16 of the St. Charles Municipal Code Entitled
"Subdivisions and Land Improvements" (Subdivision Monumentation-City
Benchmarks)**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2019-M-24**, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on **July 22, 2019**, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this **15th** day of **July, 2019**.



Municipal Clerk

(S E A L)

